FOLEY LARDNER

LTTORNEYS AT LAW

11250 EL CAMINO REAL, SUITE 200 SAN DIEGO, CA 92130 P.O. BOX 80278 SAN DIEGO, CALIFORNIA 92138-0278 TELEPHONE: 858.847.6700 FACSIMILE: 858.792.6773 WWW.FOLEYLARDNER.COM

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Total # of Pages: 12 (including this page)

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Examiner Karen Lacourciere - Art Unit 1635 Commissioner of Patents BOX NON-FEE AMENDMENT	(703) 308-7523	(703) 872-9306

From: Teresa Spehar for Richard J. Warburg

Sender's Direct Dial: 858.847.6719

Date: April 16, 2003

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Re: Application Serial No. 09/557,796

Following are:

Amendment Transmittal (3 pgs.);

Response (8 pgs.).

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Atty. Dkt. No. 252/123 (037002-0205)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Hoch and Dartois

Title:

METABOLIC SELECTION

METHODS

Appl. No.:

09/557,796

Filing

04/25/2000

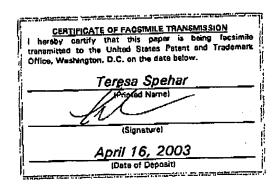
Date:

Examiner:

K. Lacourciere

Art Unit:

1635



AMENDMENT TRANSMITTAL

Commissioner for Patents
Box NON-FEE AMENDMENT
Washington, D.C. 20231

Sir:

Transmitted herewith is an amendment in the above-identified application.

- [X] Applicants claim small entity status. 37 CFR 1.27.
- [] Small Entity statement is enclosed.
- [X] The fee required for additional claims is calculated below:

	Claims as Amended	_	Previously Paid For		Extra Claims Presen	3	Rate		Additional Claims Fee
Total Claims:	17		31	-	0	×	\$18.00	-	\$0.00
Independents:	1		5	_	o	— ×	\$84.00	=	\$0.00
First presentation	on of any M	Jultini	- Dependen	t Cla	ims:	- +	\$280.00	=	\$0.00
Litat biezentere	DII 07 GILY 141	ui vije	2 2 3 5 5 1 1 2 1 1			CLAIMS	FEE TOTAL:	=	\$0.00

Atty. Dkt. No. 252/123 (037002-0205)

[]	Extension for response filed within the third month: Extension for response filed within the fourth month:	\$930.00 \$1,450.00 \$1,970.00	\$0.00 \$0.00
[]	Extension for response filed within the fifth month: EXTENSION CLAIMS AND EXTENSION	FEE TOTAL:	\$0.00
[X]	A U.S. ata. F. a. Anala (aulitront	_	\$0.00 \$0.00

[X] The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872. If any extensions of time are needed for timely acceptance of papers submitted herewith, applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 50-0872.

Atty. Dkt. No. 252/123 (037002-0205)

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date: April 16, 2003

FOLEY & LARDNER

Customer Number: 30542

(858) 847-6767 Telephone: Facsimile:

(858) 792-6773

Teresa Spehar Registration No. 51,281 for Richard J. Warburg Attorney for Applicant Registration No. 32,327

Attorney Docket No.: 252/123

PATENT

(037002-0205)



APR 1 7 2003 TECH CENTER 1600/2900

100 IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Hoch and Dartois

Application No.:

09/557,796

Confirmation No:

8950

Filing Date:

April 25, 2000

For:

METABOLIC SELECTION METHODS

Group Art Unit: 1635

Examiner: K. Lacourciere

CERTIFICATE OF FACSIMILE TRANSMISSION
I hereby certify that this paper is being facsimile transmitted to
the United States Parent and Trademark Office, Washington,
D.C., on the date below.

Teresa Spehar

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Signature

April 16, 2003

Date

BOX NON-FEE AMENDMENT

Commissioner for Patents Washington, D.C. 20231

RESPONSE

Sit:

Responsive to the Office Action mailed January 16, 2003 (Paper No. 20), please consider the following amendments and remarks.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 5 of this paper.